

**ZB# 00-23**

**Maryam Robare**

**14-7-21**

#00-23- Robare, Maryam  
Crea. 14-7-21

Prelim,

June 12, 2000 -  
Notice to  
- paper 9/28/00

Public Hearing:

October 23, 2000

Granted Area

Refund: \$ 203.00

**APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)**

**APPLICANT:** Robare, Maryam  
\_\_\_\_\_  
\_\_\_\_\_

**FILE#** 00-23

**RESIDENTIAL:** \$50.00  
**INTERPRETATION:** \$150.00

**COMMERCIAL:** \$150.00

**AREA** X

**USE** \_\_\_\_\_

**APPLICATION FOR VARIANCE FEE** ..... \$ 50.00

*paid. ck # 3958  
9/18/00*

**ESCROW DEPOSIT FOR CONSULTANT FEES** ..... \$ 300.00

*ck # 3959  
9/18/00*

**DISBURSEMENTS:**

**STENOGRAPHER CHARGES: \$4.50 PER PAGE**

**PRELIMINARY MEETING-PER PAGE** 6/12/00-3 ..... \$ 13.50  
**2ND PRELIMINARY- PER PAGE** 11/23/00-3 ..... \$ 13.50  
**3RD PRELIMINARY- PER PAGE** ..... \$ \_\_\_\_\_  
**PUBLIC HEARING - PER PAGE** ..... \$ \_\_\_\_\_  
**PUBLIC HEARING (CONT'D) PER PAGE** ..... \$ \_\_\_\_\_

**TOTAL** ..... \$ 27.00

**ATTORNEY'S FEES: \$35.00 PER MEETING**

**PRELIM. MEETING:** 6/12/00 ..... \$ 35.00  
**2ND PRELIM.** 10/23/00 ..... \$ 35.00  
**3RD PRELIM.** ..... \$ \_\_\_\_\_  
**PUBLIC HEARING.** ..... \$ \_\_\_\_\_  
**PUBLIC HEARING (CONT'D)** ..... \$ \_\_\_\_\_

**TOTAL** ..... \$ 70.00

**MISC. CHARGES:**

..... \$ \_\_\_\_\_  
**TOTAL** ..... \$ 97.00

**LESS ESCROW DEPOSIT** ..... \$ 300.00  
**(ADDL. CHARGES DUE)** ..... \$ \_\_\_\_\_  
**REFUND DUE TO APPLICANT** . \$ 203.00

[illegible]



Maryam Robare  
289 Walsh Ave.  
New Windsor, NY 12553  
Ph. 914-565-0392

3959

50-7879/2219  
1258

Date 9/18/00

Pay to the order of Town of New Windsor \$ 300. <sup>00</sup>/<sub>100</sub>  
Three hundred and <sup>00</sup>/<sub>100</sub> Dollars



To: HUDSON HERITAGE FEDERAL CREDIT UNION 2219  
Newburgh, New York 12550

For ZBA # 00-23

Maryam Robare MP

⑆22197879⑆12580046710065⑆3959

SPRINTIME WOSP



Maryam Robare  
289 Walsh Ave.  
New Windsor, NY 12553  
Ph. 914-565-0392

3958

50-7879/2219  
1258

Date 9/18/00

Pay to the order of Town of New Windsor \$ 50. <sup>00</sup>/<sub>100</sub>  
Fifty and <sup>00</sup>/<sub>100</sub> Dollars



To: HUDSON HERITAGE FEDERAL CREDIT UNION 2219  
Newburgh, New York 12550

For ZBA # 00-23

Maryam Robare MP

⑆22197879⑆12580046710065⑆3958

SPRINTIME WOSP

-----X  
In the Matter of the Application of

**MARYAM ROBARE**

MEMORANDUM OF  
DECISION GRANTING  
AREA VARIANCES

#00-23.  
-----X

**WHEREAS**, **MARYAM ROBARE**, residing at 289 Walsh Road, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 5 ft. side yard variance for existing shed and 15 ft. rear yard variance for an existing deck at the above address in an R-4 zone; and

**WHEREAS**, a public hearing was held on the 23rd day of October, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, Applicant appeared on behalf of this Application; and

**WHEREAS**, there are no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in opposition to this Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The existing shed and deck have been in place for approximately seven years.

(c) The property is small and in order to conform with the Zoning Local Law, the shed would have to be located in the middle of the back yard of the property. The best place for the shed is in its present location.

(d) There have been no complaints either formal or informal with respect to either the shed or the deck.

(e) Neither the shed nor the deck create any run off or water hazards.

(f) If the deck was not on the back of the house it would be a safety hazard for those exiting the house since they would likely fall and sustain serious injury.

(g) Neither the deck nor the shed were constructed on top of any well or septic system or any water or sewer easement.

(h) The shed and deck are similar to other sheds and decks in the neighborhood.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

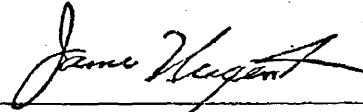
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 15 ft. ft. rear yard variance for an existing deck and 5 ft. side yard variance for an existing shed at the above residence, in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: December 11, 2000.

A handwritten signature in cursive script, appearing to read "James H. Heston", is written over a horizontal line.

Chairman



Date .....11/13/00....., 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth ..... DR.

168 N. Drury Lane  
Newburgh, N.Y. 12560

DATE			CLAIMED	ALLOWED
11/2/00	Misc - 1			
	Delaney - 1			
	UGA - 5			
	Orr - 3			
	Robare - 3	13.50.		
	Moore - 3			
	Seay/Borko - 3			
	Calvert - 7			
	Cactus Resort - 15			
	ZBA Mtg		75 00	
	41		164 00	
			<u>239 00</u>	

PUBLIC HEARINGS:

ROBARE, MARYAM

Ms. Maryam Robare appeared before the board for this proposal.

MR. NUGENT: Request for 5 ft. side yard variance for existing shed at 289 Walsh Road in R-4 zone. Is there anyone else here for that hearing? Okay, let the record show that there's no one in attendance.

MR. BABCOCK: Mr. Chairman, just before you go ahead there, there's two variances that they are seeking, one's not on the agenda. At the preliminary, both of those were discussed, one is for the five foot variance for the existing shed and also a request of 15 foot rear yard variance for an existing deck.

MR. NUGENT: We have them, Mike.

MR. REIS: Do you have any photos?

MR. NUGENT: Do you have any photos?

MS. CORSETTI: Yes, they're right here. For the record, Miss Robare brought in 52 names and addresses on envelopes and we sent out these addressed envelopes on September 25. There were 52 altogether.

MR. KANE: How long has the shed on the deck been in existence?

MS. ROBARE: Seven years.

MR. KRIEGER: For both?

MS. ROBARE: Yes.

MR. REIS: Is the shed on a foundation?

MS. ROBARE: It's on a piece of wood, you can move it so it's not permanent, so you can move it, like if you want, you can take it out.

MR. REIS: Would it be easy to move?

MS. ROBARE: Yes.

MR. REIS: Would you consider moving it so you don't have to get a variance for it?

MS. ROBARE: I moved it and still, I guess my yard is small, I put it in the middle, it's still not right.

MR. TORLEY: It's in the best place for the shed?

MS. ROBARE: Yes.

MR. TORLEY: And in any case, you have a deck that would require a variance.

MR. KANE: Have you had any complaints from your neighbors with regard to this?

MS. ROBARE: No.

MR. KANE: Any formal or informal complaints?

MS. ROBARE: Nothing.

MR. KRIEGER: Any complaints on file, Mike?

MR. BABCOCK: No.

MR. KANE: Create any runoff or water hazards in the building of the deck or shed?

MS. ROBARE: No.

MR. KANE: How big is the shed, I mean the deck, excuse me?

MS. ROBARE: 12 x 16.

MR. TORLEY: And if the deck was not on the back of the house, it would be a safety hazard trying to exit the door to the rear yard, it's a long drop?

MR. MC DONALD: You'd fall down if you went out the

door?

MS. ROBARE: Right.

MR. NUGENT: Any questions by the board? Accept a motion.

MR. KRIEGER: Neither the shed nor the deck were built on the top of any well or septic system?

MS. ROBARE: No.

MR. KRIEGER: On top of any water or sewer easement?

MS. ROBARE: No.

MR. NUGENT: Accept a motion.

MR. TORLEY: I move that we grant Maryam Robare her requested two variances, one side yard variance for existing shed and for the deck.

MR. MC DONALD: Second it.

ROLL CALL

MR. REIS	AYE
MR. MCDONALD	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

OFFICE OF THE BUILDING INSPECTOR

TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

*Prelim.*  
*June 12, 2000*  
*# 00-23*

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: September 8, 1999

APPLICANT: Maryam Robare  
289 Walsh Road  
New Windsor, New York 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 09/07/99

FOR : Existing 12 X 16 Deck

LOCATED AT: 289 Walsh Road

ZONE: R-4

DESCRIPTION OF EXISTING SITE: 14-7-21

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing deck does not meet minimum 40' rear yard set-back..

  
BUILDING INSPECTOR

PERMITTED 40'

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4      USE: 8-G

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

25'

15'

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

# RECEIPT NUMBER 117

DATE 9/17/99  
 RECEIVED FROM Mary Ann Robare  
 Address 289 Walsh  
One hundred dollars DOLLARS \$ 100  
 FOR (2) BP'S

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	<input checked="" type="checkbox"/>
AMOUNT PAID		CHECK	
BALANCE DUE		MONEY ORDER	

BY Camille Heath

ke footing -  
mistake  
ctions it  
on.

8. \$50.00 charge for any site that calls for the inspection twice.  
 9. Call 24 hours in advance, with permit number, to schedule inspection.  
 10. There will be no inspections unless yellow permit card is posted.  
 11. Sewer permits must be obtained along with building permits for new houses.  
 12. Septic permit must be submitted with engineer's drawing and perc test.  
 13. Road opening permits must be obtained from Town Clerk's office.  
 14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:  
 Building Permit #: 7879

## AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Maryann Robare  
 Address 289 Walsh Ave Phone (914) 565-0392  
 Mailing Address New Windsor, N.Y. 12553  
 Name of Architect A. Ashareza  
 Address Town of Newburgh Phone 561-2654  
 Name of Contractor myself and my Brother  
 Address 289 Walsh Ave Phone 565-0392

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_

(Name and title of corporate officer)

On what street is property located? On the \_\_\_\_\_ side of Walsh  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

one or use district in which premises are situated B-41 Is property a flood zone? Y \_\_\_\_\_ N ☒

ax Map Description: Section 14 Block 7 Lot 21

ate existing use and occupancy of premises and intended use and occupancy of proposed construction.

Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

ture of work (check if applicable) New Bldg ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒

his a corner lot? No

existing deck 12x16

ensions of entire new construction. Front \_\_\_\_\_ Rear ☒ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

velling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

umber of bedrooms 3 Baths 1 Toilets 1 Heating Plant: Gas \_\_\_\_\_ Oil ☒

etric/Hot Air \_\_\_\_\_ Hot Water ☒ If Garage, number of cars None

usiness, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

ated cost 300.00 Fee \_\_\_\_\_

pd 50.00 cash  
9/17/99



date

**APPLICATION FOR BUILDING PERMIT**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
**Pursuant to New York State Building Code and Town Ordinances**

**Building Inspector: Michael L. Babcock**  
**Asst. Inspectors Frank Lisi & Louis Krychear**  
**New Windsor Town Hall**  
**555 Union Avenue**  
**New Windsor, New York 12553**  
**(914) 563-4618**  
**(914) 563-4693 FAX**

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

*Mazman Rahar*

(Owner's Signature)

(Address of Applicant)

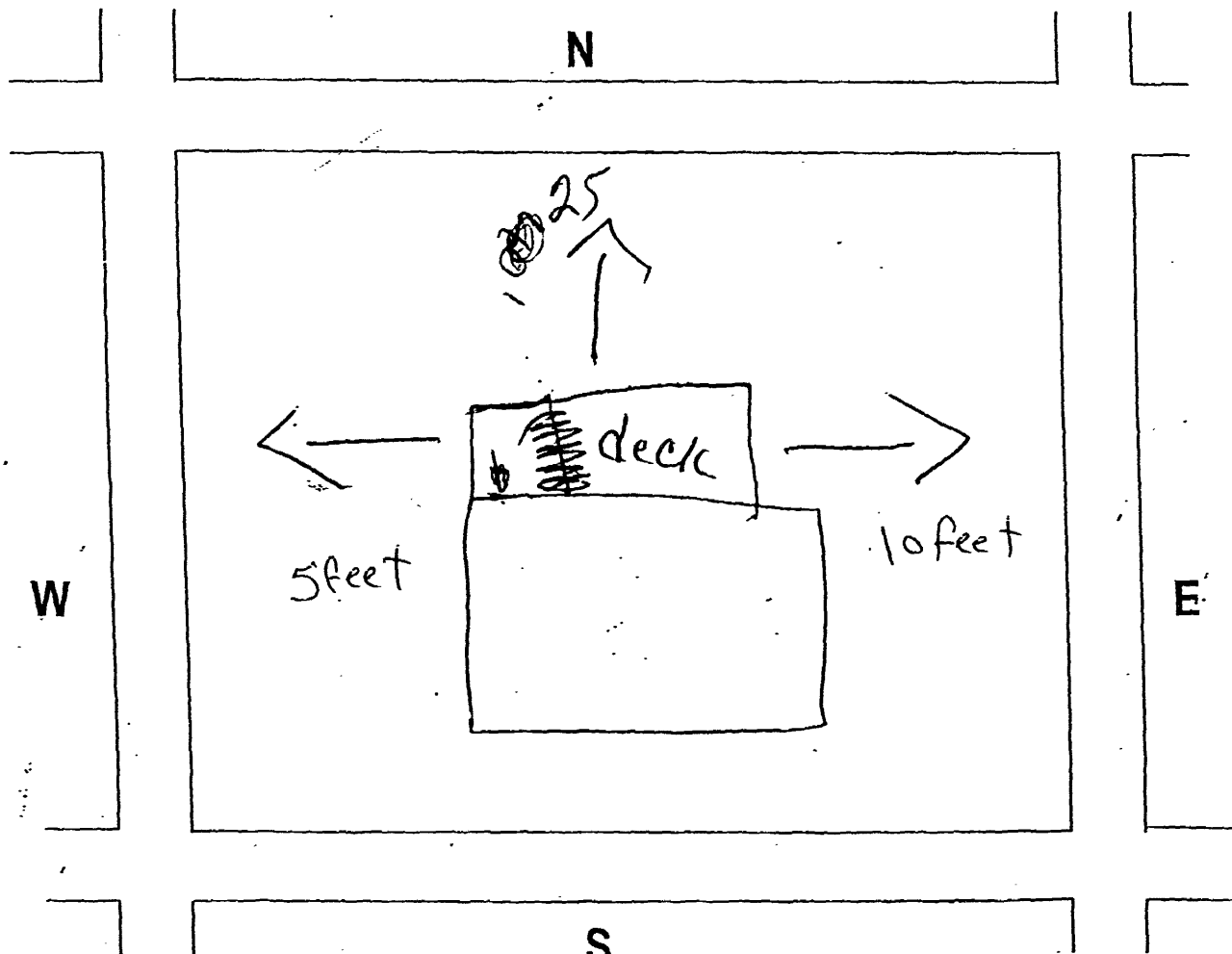
*289 Walsh Ave New Windsor*

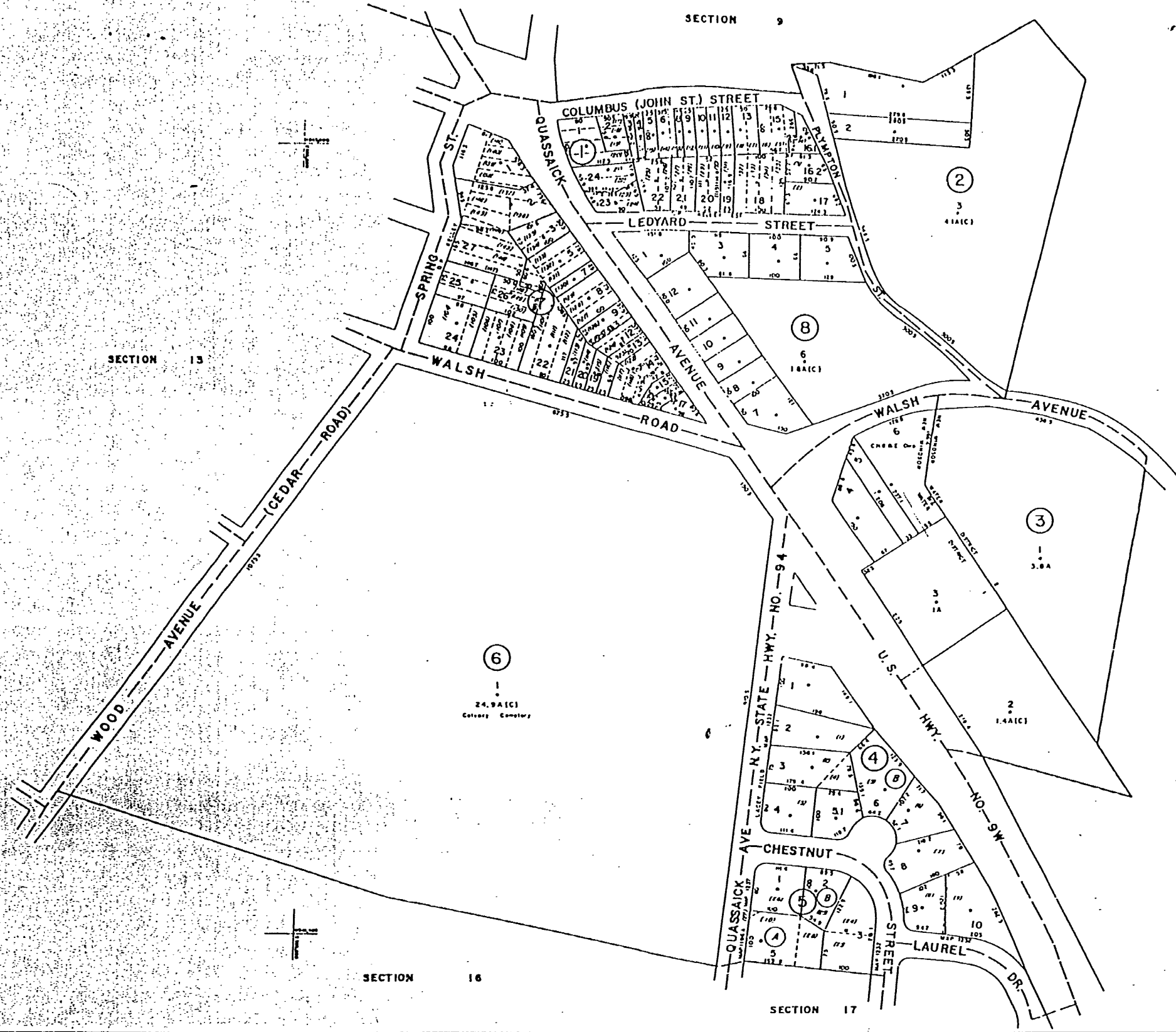
(Owner's Address)

**PLOT PLAN**

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





SECTION 9

SECTION 16

SECTION 17

ALL NEWBURGH SCHOOL DISTRICT  
ALL QUASSACK BRIDGE FIRE DISTRICT

Prepared by  
ORANGE CO. TAX MAP DEPT.  
MAIN ST., BORNHOLM, N.Y. 10624  
1989  
FOR TAX PURPOSES ONLY  
NOT TO BE USED FOR CONVEYANCE

LEGEND			
STATE OR COUNTY LINE	FILED PLAN LOT LINE	TOX MAP RIVER NO.	FILED PLAN RIVER NO.
CITY TOWN OR VILLAGE LINE	PAVED LOT LINE	TOX MAP PAVEMENT NO.	PAVED LOT PAVEMENT NO.
WATER OR BAY LINE	WATER LINE	PAVED LOT PAVEMENT NO.	PAVED LOT PAVEMENT NO.
WATER DISTRICT LINE	WATER DISTRICT LINE	PAVED LOT PAVEMENT NO.	PAVED LOT PAVEMENT NO.
PROPERTY LINE	LAND COORDINATE CENTER	PAVED LOT PAVEMENT NO.	PAVED LOT PAVEMENT NO.

ORANGE COUNTY-NEW YORK  
Photo No. 14-50-31 Date of Map: 9-24-67  
Date of Photo: 3-1-65 Date of Revision: 3-1-81  
Scale: 1" = 100'

TOWN OF NEW WINDSOR  
Section No. 14

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: September 8, 1999**

**APPLICANT: Maryam Robare  
289 Walsh Road  
New Windsor, New York 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 09/07/99**

**FOR : Existing shed**

**LOCATED AT: 289 Walsh Road**

**ZONE: R-4**

**DESCRIPTION OF EXISTING SITE: 14-7-21**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. Existing shed does not meet minimum 10' side yard set-back.**

  
BUILDING INSPECTOR

PERMITTED 10'

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4     USE: 48-14-A-(1)-(B)

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

5'

5'

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake any of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

Foundation is complete and footing forms are in place (before pouring.)

Inspection. Check here for waterproofing and footing drains.

Level base under concrete floors and underslab plumbing.

Framing, rough plumbing, rough electric and before being covered.

Inspection.

Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.

Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.

8. \$50.00 charge for any site that calls for the inspection twice.

9. Call 24 hours in advance, with permit number, to schedule inspection.

10. There will be no inspections unless yellow permit card is posted.

11. Sewer permits must be obtained along with building permits for new houses.

12. Septic permit must be submitted with engineer's drawing and perc test.

13. Road opening permits must be obtained from Town Clerk's office.

14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY: 9880  
Building Permit #:

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Mariam Robare

Address 289 Walsh Ave Phone (914) 565-0392

Mailing Address New Windsor, N.Y. 12553

Name of Architect Farah Steingard

Address 6 Highland Ave Phone \_\_\_\_\_

Name of Contractor Myself and Farah

Address 289 Walsh Ave Phone (914) 565-0392

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the Walsh side of \_\_\_\_\_  
(N,S,E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y \_\_\_\_\_ N ☒

3. Tax Map Description: Section 14 Block 7 Lot 21

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) New Bldg ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒

6. Is this a corner lot? \_\_\_\_\_ existing Shed 8x10

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear ☒ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms 3 Baths 1 Toilets 1 Heating Plant: Gas \_\_\_\_\_ Oil ☒

Electric/Hot Air \_\_\_\_\_ Hot Water ☒ If Garage, number of cars None

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost Free Fee \_\_\_\_\_

pd. 50.00 cash  
9/7/99

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(914) 563-4618  
(914) 563-4693 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Address of Applicant)

*Margaret Rabar*

\_\_\_\_\_  
(Owner's Signature)

*289 Walsh Ave New Windsor*

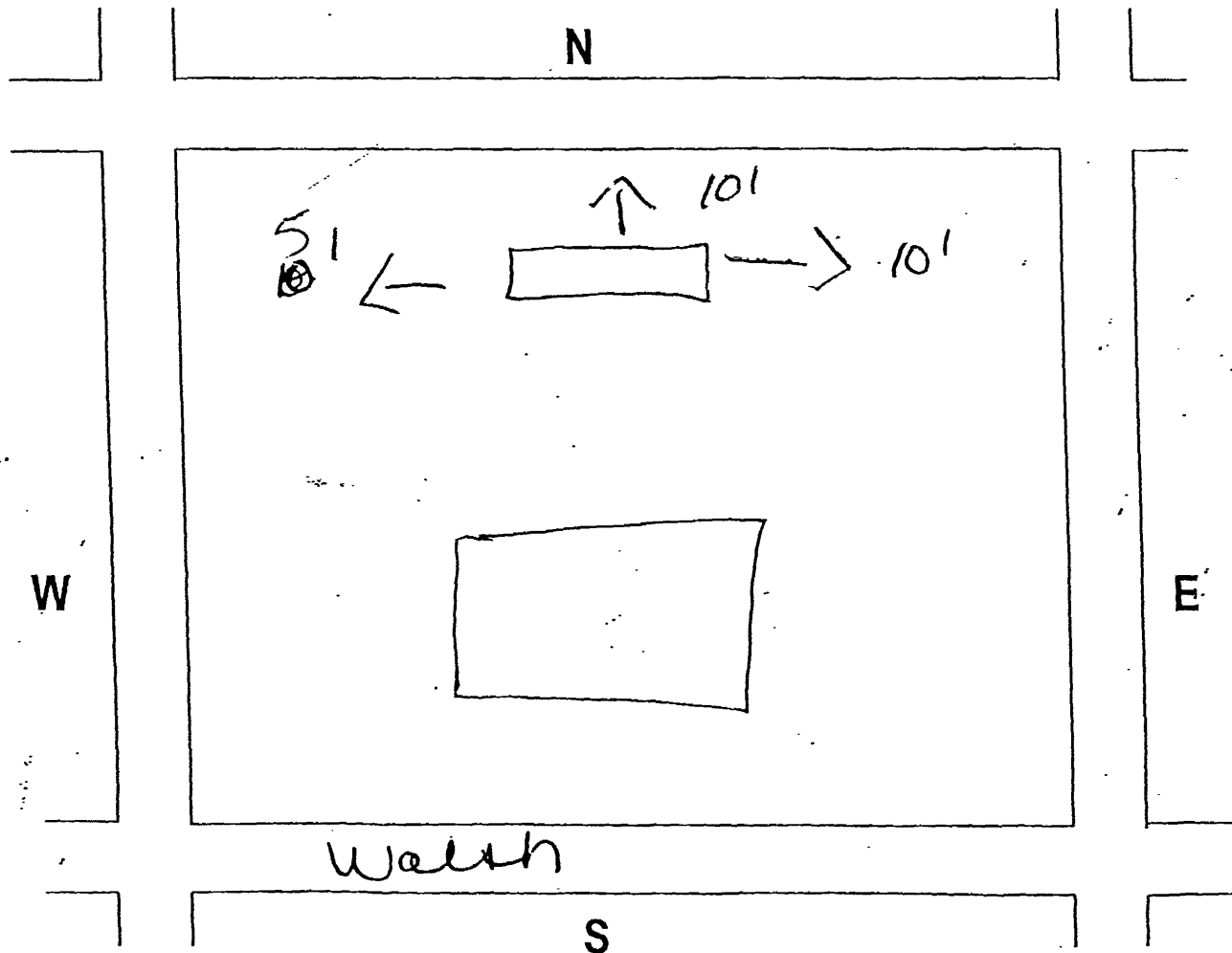
\_\_\_\_\_  
(Owner's Address)

PLOT PLAN



NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR  
COUNTY OF ORANGE:STATE OF NEW YORK

**In the Matter of the Application for Variance of**

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

Mayam Lobue  
#00-23

STATE OF NEW YORK) )  
COUNTY OF ORANGE ) SS.:

**PATRICIA A. CORSETTI, being duly sworn, deposes and says:**

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 25<sup>th</sup> day of Sept., 2000, I compared the 52 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia A. Corsetti

**Notary Public**

Sworn to before me this

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Notary Public**



# Town of New Windsor

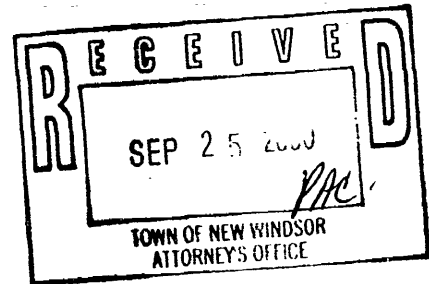
555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

(52)

September 21, 2000

Maryam Robare  
289 Walsh Ave  
New Windsor, NY 12553



Re: 14-7-21

Dear Ms. Robare:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

*L. Cook*  
Leslie Cook  
Sole Assessor

LC/bw  
Attachments

CC: Pat Corsetti, ZBA

Geraldine & Brewster Paffendorf  
1 Quassaick Ave  
New Windsor, NY 12553

Olga Mendoza  
92 Beacon Street  
Newburgh, NY 12550

Vicenta & Robetro Arocho  
5 Ledyard Street  
New Windsor, NY 12553

Masud N Naraghi  
C/o Torr International  
12 Columbus Street  
New Windsor, NY 12553

Frances & Charles Rumsey  
C/o Mira Ellen Blythe  
7 Perry Strret  
Morristown, NJ 07960

Alice & Victor Bosacky  
15 Ledyard Street  
New Windsor, NY 12553

Linda & Richard Ostner  
66 Union Avenue  
New Windsor, NY 12553

Helene & Daniel Kerin  
16 Cedar Ave  
New Windsor, NY 12553

Mira Ellen Rumsey  
C/o Mira Ellen Blythe  
7 Perry Street  
Morristown, NJ 07960

Donna & Michael Collins  
6 Cedar Ave  
New Windsor, NY 12553

Donna & Thomas Curtin  
20 Hunter Road  
Washingtonville, NY 10992

Carman Torelli & Ernestine Anderson  
27 Ledyard Street  
New Windsor, NY 12553

Bridge Road Realty Corp.  
218 15<sup>th</sup> Street  
West Babylon, LI 11704

Marie & Roland Mitchell  
27 Columbus Street  
New Windsor, NY 12553

Mario & Solomon Crisostomo  
33 Quassaick Ave  
New Windsor, NY 12553

Mary & John Carney  
8 High Street  
New Windsor, NY 12553

Isabel & Jorge Jimenez  
25 Columbus Street  
New Windsor, NY 12553

Edward Reeves  
19 Quassaick Ave  
New Windsor, NY 12553

Charles Edward Rumsey Jr.  
C/o Mira Ellen Blythe  
7 Perry Street  
Morristown, NJ 07960

Claudia Torraca  
23 Columbus Street  
New Windsor, NY 12553

Cemetery  
St. Patricks Church  
55 Grand Street  
Newburgh, NY 12550

Nancy M Blinn McCann  
1050 Starkey Rd # 304  
Largo, FL. 33771

Frank Francan  
19 Columbus Street  
New Windsor, NY 12553

Richard A Ostner  
82 Bethlehem Road  
New Windsor, NY 12553

Town Quassaick Fire  
275 Walsh Rd  
New Windsor, NY 12553

Margaret & Alfred Palumbo  
186 Caesars Lane  
New Windsor, NY 12553

Toni Ann Catalano  
P.O. Box 4139  
New Windsor, NY 12553

Maddalena Marchetta  
272 Walsh Ave  
New Windsor, NY 12553

Victor Bosacky  
15 Ledyard Street  
New Windsor, NY 12553

Salvatore Acquaro  
16 Hillside Ave  
New Windsor, NY 12553

Jeanne & Jeffrey Stent  
34 Quassaick Ave  
New Windsor, NY 12553

Ferdinand Ritz  
283 Walsh Ave  
New Windsor, NY 12553

Stella & Zygmunt Orzechowski  
61 Blanche Ave  
New Windsor, NY 12553

David Cleaves  
8 Bridge Street  
Cornwall, NY 12518

Jones Harold AKA  
Harold A Shirley  
9 Cedar Ave  
New Windsor, NY 12553

Arthur Gray  
C/o MHG Realty  
45 Quassaick Ave  
New Windsor, NY 12553

Partick Bianco  
324 Collabar Rd  
Montgomery, NY 12549

Cecilia & Joseph Piquearas  
18 Spring Rock Rd  
New Windsor, NY 12553

Zelandia & Hermino Maldonado  
44 Quassaick Ave  
New Windsor, NY 12553

Mario & Solomon Crisostomo  
33 Quassaick Ave  
New Windsor, NY 12553

Michael Jacobson  
16 Paulding Ave  
Cold Springs, NY 10516

Ann Szloboda  
14 Ledyard Street  
New Windsor, NY 12553

52 Quassaick Ave Inc.  
c/o Somporn Toombs  
32 Ellis Ave  
Newburgh, NY 12550

Gloria Hryncewich  
53 Brane Ave  
Hawthorne, NJ 07506

Dona & Dominick Pisano  
182 North Plank Rd  
Newburgh, NY 12550

Celsa & Humberto Fernandez  
15 Plympton Street  
New Windsor, NY 12553

Frank H Reis Realty Corp.  
79 N Front Street  
Kingston, NY 12401

Lenora & Natasha Grable  
313 Walsh Ave  
New Windsor, NY 12553

Bertha & George Traver  
42 Blanche Ave  
New Windsor, NY 12553

Saffioti Bros. Inc.  
61 Quassaick Ave  
New Windsor, NY 12553

Victoriana & Jose Camacho  
& Oscar Luis Acosta  
287 Walsh Ave  
New Windsor, NY 12553

Ezenia & Mario Espana  
P.O. Box 4259  
New Windsor, NY 12553

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

# 00-23  
Date: 9/18/00

I. ✓ Applicant Information:

- (a) MARYAM Robare 289 Walsh Ave New Windsor 565-0392  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ( ) Use Variance ( ) Sign Variance  
( X ) Area Variance ( ) Interpretation

III. ✓ Property Information:

- (a) R 289 Walsh Road New Windsor 14/7/021 14.  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? \_\_\_\_\_
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes.
- (d) When was property purchased by present owner? 1980
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO  
If so, when? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes \_\_\_\_\_ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. \_\_\_\_\_.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	_____	_____
Min. Lot Width	_____	_____
Reqd. Front Yd.	_____	_____
Reqd. Side Yd. <u>10 ft.</u>	<u>5 ft.</u>	<u>5 ft. - Shed</u>
Reqd. Rear Yd. <u>40 ft.</u>	<u>25 ft.</u>	<u>15 ft. - Deck</u>
Reqd. Street Frontage*	_____	_____
Max. Bldg. Hgt.	_____	_____
Min. Floor Area*	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio**	_____	_____
Parking Area	_____	_____

\* Residential Districts only

\*\* No-residential districts only

✓(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

Shed & deck have been existing structures for  
approximately 5 years; no complaints rec'd. about  
structures. No changes to neighborhood.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, \_\_\_\_\_ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_

\_\_\_\_\_

VII. Interpretation. N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

(b) Describe in detail the proposal before the Board:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or



upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Property is fenced and shielded from neighboring homes. Deck does not interfere and is very plain. It is not an eyesore.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ N/A Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 9/12/00

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X Marya Rohan  
(Applicant)

Sworn to before me this  
12<sup>th</sup> day of September, 192000.

SUZANNE M. SWEENEY  
Notary Public, State of New York  
Qualified in Orange County  
Registration No. 015W4921554  
Commission Expires March 14, 2001

XI. ZBA Action:

(a) Public Hearing date: \_\_\_\_\_.

(b) Variance: Granted (\_\_\_\_) Denied (\_\_\_\_)

(c) Restrictions or conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

**PUBLIC NOTICE OF HEARING**

**ZONING BOARD OF APPEALS**

**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 23

Request of Maryam Robare

for a VARIANCE of the Zoning Local Law to Permit:

existing shed and deck w/ insufficient side &  
rear yards;

being a VARIANCE of Section 48-12-Table of Use/Bulk Regs.-Cob.F&G

for property situated as follows:

289 Walsh Avenue, New Windsor, N.Y.

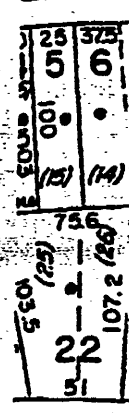
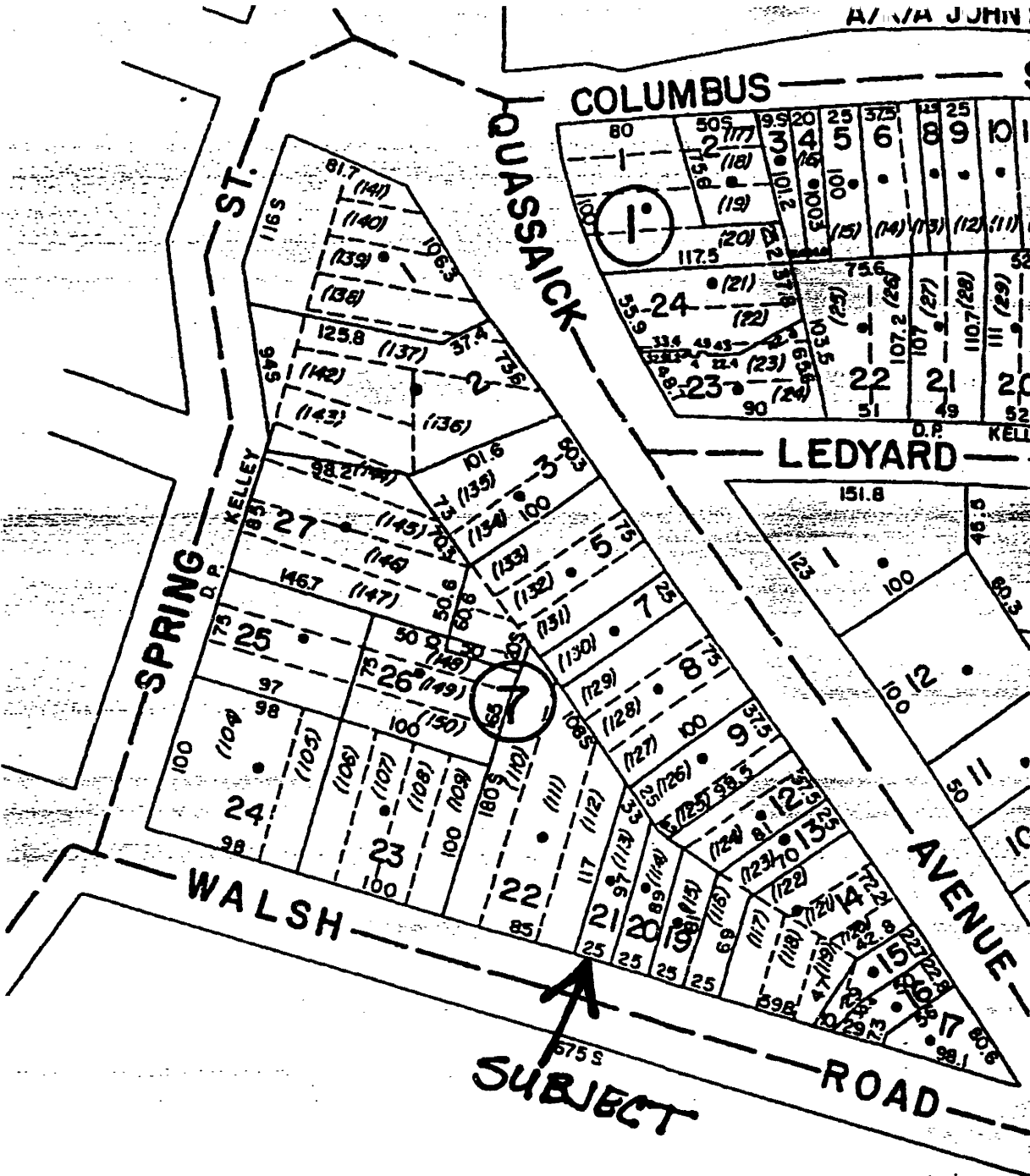
known and designated as tax map Section 14, Blk. 7 Lot 21.

PUBLIC HEARING will take place on the 23<sup>rd</sup> day of October, 2000 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent  
Chairman

A/ /A JOHN

A/K



EDYARD



ROAD

Date 6/26/00, 19.....

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO ..... Frances Roth  
168 N. Drury Lane ..... DR.  
Newburgh, N.Y. 12550

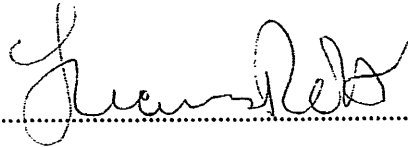
DATE			CLAIMED	ALLOWED
6/12/00		Timing Board Mtg	75 00	
		Misc - 1		
		Robare - 3 \$13.50		
		Hunsinger - 5		
		Luongo - 4		
		Reynolds - 3		
		Fix - 8		
		L.G. Enterprises - 3		
		Trinajstic - 9		
		U&R Associates - 5	184 50	
		<u>41</u>	<u>359 50</u>	

STATE OF NEW YORK,  
TOWN OF NEW WINDSOR

} ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here



No. ....

Town of New Windsor

Nature .....

Amount Claimed \$ .....

Amount Allowed \$ .....

Filed .....

I hereby certify that at a meeting of  
said Town Board held at the office of the  
Town Clerk on the ..... day

of ....., 19.....

the within claim was audited and allowed  
for the sum of

\$ .....

Clerk

PRELIMINARY MEETING:

ROBARE, MARY

MR. NUGENT: Request for 15 ft. rear yard variance for existing deck at 289 Walsh Road in an R-4 zone.

Ms. Mary Robare appeared before the board for this proposal.

MR. BABCOCK: There's also I don't see it on the agenda but there's an denial here for a an existing shed that should be ten feet from the property line which is only five feet so she also needs a five foot variance for the shed.

MR. NUGENT: For this application?

MR. BABCOCK: Yes.

MR. BABCOCK: Pat, do you have a copy of that?

MS. CORSETTI: Hang on a second, I have the deck here, yes, do I have a shed.

MR. NUGENT: Just give us a minute to look at the paperwork and we'll ask you questions, if necessary. The deck is, let me get this straight, the deck is 15 foot too close to your rear yard?

MR. BABCOCK: That's correct.

MR. NUGENT: And the shed is five foot too close to the side line?

MR. BABCOCK: That's correct.

MR. NUGENT: Michael, would you like to look at these?

MR. REIS: Please.

MR. NUGENT: There's no way you can move them anyway, the shed?

MS. ROBARE: The shed I can but the deck, no.

MR. NUGENT: And the shed, if you move it to the one direction, you're going to be five foot short on the other side?

MS. ROBARE: Right.

MR. NUGENT: Okay, so we'll go with what they're got.

MR. REIS: Can you tell us what brings you to the board, why do you have to be here?

MS. ROBARE: I need a variance, I guess because--

MR. REIS: Are you selling your property?

MS. ROBARE: I'm selling, yes.

MR. REIS: Thank you. You haven't had any complaints from your neighbors?

MS. ROBARE: No.

MR. TORLEY: When you come back for the public hearing, would you please bring some photographs?

MS. ROBARE: Oh, yes, they told me.

MR. TORLEY: Doesn't matter now.

MS. ROBARE: She told me.

MR. TORLEY: Entertain a motion?

MR. NUGENT: Yes, I will.

MR. TORLEY: I move we set up Miss Robare for a public hearing on the requested variances for deck and shed.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. TORLEY	AYE



June 12, 2000

4

MR. NUGENT

AYE

MR. KRIEGER: When you come back, if you would address yourself to the criteria set forth on that sheet that will be helpful since those are the criteria on which the zoning board must decide.

MS. ROBARE: Thank you.

MR. NUGENT: Just read it over.

MS. CORSETTI: This is for you, this is your application and your instructions, okay.

MS. ROBARE: Thank you.